

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2014-120922-001 DT

07/09/2014

COMMISSIONER JULIE P. NEWELL

CLERK OF THE COURT
A. Callahan
Deputy

STATE OF ARIZONA

MATTHEW STEPHEN MUELLER

v.

CHEZZ ANTHONY BENNY (001)
DOB: 04/19/1991

MICHELLE A RATHKAMP

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

10:40 a.m.

Courtroom SCT 3A

State's Attorney:	Erin Pedicone on behalf of Matthew Mueller
Defendant's Attorney:	Frances Robinson on behalf of Michelle Rathkamp
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (as amended) Possession or Use of Marijuana
Class 1 Misdemeanor

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A.R.S. § 13-3401, 13-3405, 13-3405(A)(1), 13-3416, 13-3418, 12-269, 13-604, 13-707, 13-802, 13-901.01(D), 13-901.01(A)

Date of Offense: 05/03/2014

Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Count 1 Probation Term: 12 months

Upon absolute discharge from prison for a separate offense in CR2010-117507-002 and CR2014-126127-001.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning on a date to be determined.

FINE: Count 1 - Total amount of \$1,372.50, which includes surcharges of 83%, payable \$50.00 per month beginning on a date to be determined.

PROBATION SURCHARGE: Count 1 - \$20.00 payable on a date to be determined.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on a date to be determined.

WARRANT CHARGE: Count 1 - \$45.00, payable on a date to be determined.

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 1 - \$13.00 payable on a date to be determined. Investigative Agency: Mesa Police Department

All amounts payable through the Clerk of the Superior Court.

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Condition 16 - Not consume or possess any substances containing alcohol.

Condition 17 - Count 1: Complete a total of 24 hours of community restitution. Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

Condition 22: Other - Defendant will complete 8 hours of drug education.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS FURTHER ORDERED Defendant be released from custody for this case only.

The presentence investigation report is filed under CR2014-126127-001.

11:04 a.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER JULIE P. NEWELL
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)